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**From:** Stephens, Shand S. [<mailto:Shand.Stephens@dlapiper.com>]

**Sent:** Tuesday, May 13, 2014 4:02 PM

**To:** Gary M. Osen

**Cc:** Coles, Anthony P.; Setrakian, Berge

**Subject:** Linde v Arab Bank

Gary - This is to respond to your email dated May 1, 2014, concerning the expert report and testimony of Dr. Milton-Edwards, which are addressed to her report dated April 8, 2014, forwarded to you on April 11. We do not agree we are required to answer each question plaintiffs choose to ask. The majority of your questions should be addressed to Dr. Milton-Edwards at her deposition, which will occur in New York if plaintiffs wish. As Dr. Milton-Edwards indicates in her supplemental report, several months after Judge Gershon's February 6, 2013 order she returned to Gaza and the West Bank and, as a part of that visit, she "was able to revisit several of the twelve relevant zakat committees." The assistant she uses is her own. Dr. Milton-Edwards reports are being supplemented because of Judge Gershon's order. We will produce documents as required by the rules on experts, and have already produced the additional documents on which Dr. Milton-Edwards relies. We have amended the defendant's trial exhibit list in accord with our agreement with the plaintiffs and do not anticipate additional amendments, but reserve the right to make amendments. Defendant does not categorically oppose in advance on timeliness grounds evidence proposed by plaintiffs, but we cannot make a determination as to objections until we see the evidence proposed. We are amenable to any reasonable schedule for Daubert or other motions.

We expect that the plaintiffs are anxious to try this case based on the merits. This expert's supplemental report and testimony will further that result.

**Shand S Stephens**

Partner

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